



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,784	07/06/2001	Kinya Washino	FNI-02503/03	2825

7590 01/11/2006  
John G Posa  
Gifford Krass Groh Sprinkle  
Anderson & Citkowski P C  
280 N Old Woodward Ave Suite 400  
Birmingham, MI 48009

EXAMINER

LEE, MICHAEL

ART UNIT PAPER NUMBER

2614

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT	PAPER
----------	-------

2

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Due to typographical error, the first and second paragraphs of the previous office actions dated 2/1/05, and the second and third paragraphs of the non-office action dated 4/19/04 were incorrect. Instead of reciting the statutory basis and rejection statements of the 35 U.S.C. 103, it should have been reciting the 35 U.S.C. 102 (b) statutory basis and rejection statements as follow:

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 51-59, 61-63 are rejected under 35 U.S.C. 102(b) as being anticipated by Langford et al. (5,206,929).

Applicant's appeal brief has treated above claims as rejected by 35 U.S.C. 103 rejection; however, it is improper because the rejections were actually carried out in 35 U.S.C. 102(b). In order to clarify this error, applicant is required to resubmit a new appeal brief that treats above claims as rejected by 35 U.S.C. 102(b). The Office apologizes for the inconvenience.

Appellant is required to comply with provisions of 37 CFR 41.37(c). To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 41.37(c) within ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication. Extensions of time may be granted under 37 CFR 1.136.

M. Lee  
Primary Examiner  
Art Unit: 2614